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INFORMATION ABOUT

PATENTS

—BY—

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READING, PA.

Practical Mechanical Experience is as essential to a good Patent Solicitor as a knowledge of Patent Law and Practice.

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It is without doubt most satisfactory and advantageous to inventors to employ a reliable Patent Attorney who is near at hand, whenever it is possible to do so.

PREFACE.

Having just removed from 102 South Third Street, where I have been continuing the business established by the late Thomas P. Kinsey in 1874, to the new and handsome building of the Pennsylvania Trust Company, I have considered it a favorable opportunity to issue a new pamphlet referring especially to my own business, but which it will be well worth the while of all interested in the subject of patents to keep for reference.

It has been my endeavor to condense into this small pamphlet much information that should be acquired by all inventors and manufacturers, and by those who are interested otherwise in this important subject.

A careful consideration will enable the reader to act in patent matters with more intelligence than, unfortunately, most inventors do.

W. G. STEWART.

INDEX.

PATENTS are granted by the Government to protect inventors in the use of their inventions for a term of seventeen years in consideration of their informing the public fully of the invention. In other words, they or their assignees are guaranteed a monopoly for a certain time on condition that the invention become public property thereafter.

THE VALUE OF PATENTS TO THE GENERAL PUBLIC is evidenced by the wonderful growth in the wealth and comfort of the people of all nations in which the inventive faculty has been encouraged by a liberal patent system. And this growth is universally acknowledged to have been greater in the United States, where the greatest encouragement has been accorded inventors. As to *the value of patents to the inventors* themselves, there can be no question that the aggregate profit derived by them as a class is so enormously in excess of the expenses incident to perfecting and securing their inventions as to permit no comparison. It is also true, however, that many patents have been issued, and are being issued from which little or no profit is derived.

The *Causes of Failure of Patents* may be classed under three general heads:

1. The invention involved is so slight or unimportant that it is either not needed at all, or better devices can be readily found to answer the same purpose.

2. The belief that "a patent is a patent," in the sense that if a patent is obtained the invention is necessarily protected, is "a snare and a delu-

sion." An important invention may be "protected" by a patent which in reality affords little or no protection owing to the careless or incompetent manner in which it was solicited. A *poor patent* is frequently *worse than none at all* as it reveals the invention without protecting it, and the most important inventions are apt to realize no profit unless protected by strong patents. Manufacturers are inclined to "steal" a good invention if they can safely do so, rather than pay for it. This subject will be referred to later on.

3. Business ability, energy and means are necessary to secure the full benefit, even of a strong patent on an important invention. The public must see and understand an invention and must often be taught in the first place to appreciate the advantage of even the most important. This is proved by the fact that very valuable inventions are sometimes unprofitable until near the end of their term. The *inventive faculty*, and *business ability and means* are often not united in the same person and in order to profit by his inventive faculty an inventor must be willing to *let others profit also*. Inferior inventions often succeed where better ones fail, because the inferior ones are better managed.

The Causes of Success on the other hand are:

1. Inventing something that is needed or advantageous and will work satisfactorily.

2. Securing a strong patent that will properly protect the invention.

3. Good business management.

Having met these conditions there is no more "royal road to wealth" than by means of patents.

The greatest industries in the world are founded on and dependent upon them.

Before granting a patent the Government requires:

First. That the applicant shall make formal application in accordance with the Rules of Practice, and shall pay the required fees.

Second. That he shall clearly illustrate and describe his device, which must be something new and useful of which he is the inventor.

Third. That he shall distinctly claim what is new and only what is new in view of the prior state of the art.

ATTORNEYS.—Rule 17, of Patent Office, "Rules of Practice," says: "As the value of patents depends largely upon the careful preparation of the specifications and claims the assistance of competent counsel will in most cases be of advantage to the applicant." "It will, however, be unsafe to trust those who pretend to the possession of any facilities, except capacity and diligence for procuring patents in a shorter time or with broader claims than others."

The formalities of making and prosecuting an application for a patent, as well as the skill and experience required to clearly point out the differences of an invention over previous patents which are almost invariably referred to by the Patent Office, as showing more or less similarity, makes it almost a necessity, and *always* an advantage to employ a reliable Attorney, and in fact, this is almost invariably done.

IN SELECTING AN ATTORNEY, the first consideration should be trustworthiness; the second, capacity; the third, diligence. It is evidently an advantage in deciding on these points to have an Attorney within easy distance, in order that a personal interview may be readily had if desired, and also that his references may be easily consulted. Moreover, it is a great advantage frequently, both to the Attorney and his client to be able to consult together either before filing the application or during its prosecution in the Patent Office to insure a complete understanding. These considerations clearly make it preferable, other things being equal, that the Attorney should reside within easy reaching distance of the client.

All business with the Patent Office *must be "transacted by correspondence"* and "the personal attendance of applicants at the Patent Office is unnecessary." (See Rule 4, of Rules of Practice.) The evident reason for this is that the record which is kept in the Patent Office must show the whole course of the case. Therefore, even when the Attorney secures a personal interview with an Examiner in the Patent Office—which in the majority of cases is of no advantage—the arguments and explanations then used must be written out and filed. The advantage, therefore, of having an Attorney who resides where the Patent Office is located is not such as is often imagined; and whatever advantages there really are may be readily secured by the non-resident Attorney through an associate in Washington at small cost. The fact that the great bulk of business with the Patent Office is

transacted by non-resident Attorneys, proves that *the advantage of the Attorney being near his client*, rather than near the office is generally appreciated and acknowledged.

A COMPLETE APPLICATION FOR A PATENT COMPRISES:

1. The Petition. 2. The Drawings. 3. The Specification. 4. The Oath. 5. The Government Fee.

The *Petition* recites the name, citizenship and residence of the applicant and the subject of the invention, and is generally combined with a grant of power to an Attorney to prosecute the application.

The *Drawings* must be artistically executed and must clearly illustrate the invention. They should frequently illustrate also one or more modified forms, which it is desired to secure as equivalents.

The *Specification* should first describe in general terms the nature and object of the invention, showing where it differs from and is an improvement upon constructions or methods previously known and used for the same or similar purposes. The construction of the device or machine should then be described "in such full, clear, concise and exact terms as to enable any person skilled in the art or science to which it appertains, or with it is most nearly connected, to make, construct, compound and use the same," reference being made to the accompanying drawings "and to the letters and figures of reference marked thereon." "The specification must conclude with a specific and distinct

Claim or Claims of the part, improvement, or combination which the applicant regards as his invention or discovery."

The *Oath* or affirmation, which is executed or acknowledged before a Notary Public and attested by his seal, declares that the applicant "believes himself to be original, first and sole inventor of the improvement described and claimed in the specification; that the same has not been patented to himself or to others with his knowledge or consent in any country, and that it has not to his knowledge been in public use or on sale in the United States for more than two years prior to his application, and that he does not know and does not believe that the same was ever known or used prior to his invention thereof.

My fees as Attorney and also those payable to the Government are given on page 24.

MODELS are very seldom wanted by the Patent Office and are never required at the time the application is filed, being called for afterward if found to be necessary to the full understanding of the invention. The size, as limited by the Patent Office, must not exceed twelve inches either way. I seldom require a model to enable me to properly prepare an application, but where an inventor has made one, no matter how rough, for his own satisfaction, I always prefer to see it.

THE PROPER PREPARATION OF THE SPECIFICATION AND CLAIMS is the most difficult and important part of the work

involved in an application. To describe in "clear" yet "concise" terms the construction, application, and advantages of an invention, requires a thorough knowledge of the particular art to which the invention relates and of the technical terms which should be used to designate the several parts of the device. This frequently necessitates a careful study of the subject as a preliminary to the preparation of the specification, for which purpose a varied mechanical and technical library is required. Not only natural mechanical ability, but *practical mechanical training and experience* are in many cases essential to the full understanding of the construction and advantages of an invention. *Economy* of construction, *simplicity*, *durability* and *efficiency* are some of the advantages which it is often necessary to prove before a patent will be allowed, and to properly appreciate and clearly explain such features requires *mechanical knowledge*, as well as *argumentative ability.*

It is all-important that the *principle* or "spirit" of the invention should be clearly pointed out and that the specifications and drawings should not restrict the invention to the exact construction into which it may have been first worked up. Modified forms which are substantial EQUIVALENTS, may frequently be devised, and such equivalents should be covered. And to this end it is often important to illustrate and describe one or more equivalent constructions, so as to more clearly indicate the breadth and extent of the invention. And the inventor and his Attorney should both give due consideration to this subject.

THE CLAIMS with which the specification is concluded, determine the true face value of a patent. Anyone who has been educated in patents can generally tell by an inspection of the claims alone, just how much protection is afforded by a patent. The patentee cannot receive protection for more than he claims, no matter what his specification and drawings set forth, and on the other hand he is entitled to all that he claims, unless the United States Courts shall decide otherwise, the burden of proof being on those who attempt to contest them. *Damages can only be collected where the* CLAIMS *have been infringed.* Their supreme importance therefore is evident, and great care, ability and judgment are required to draw them properly, and respectful perseverance and careful argument are frequently necessary to secure their allowance. It is a comparatively easy matter to obtain a patent with narrow and restricted claims, the Examiner of the application not being likely to refuse little where much might be demanded. It is his chief care *not to grant more* than should be granted. It is the applicant's chief care *not to ask for or to accept less* than he is entitled to.

IN JUDGING THE VALUE OF A CLAIM the most important general rule to remember is: That the *fewer* the number of elements or conditions specified in it the *broader and the better* the claim—and *vice versa*—the *greater* the number of elements or conditions specified, the *narrower and poorer* the claim. The reason for this is that every element and condition specified is

considered *essential*, and therefore, if any one of them is omitted (without substituting an equivalent) the claim is not infringed. *Combination claims* may be exceedingly valuable or comparatively worthless, depending upon their character as determined by the above rule.

Generally the elements of a claim should not be referred to by letters, as they restrict the claim to an element of substantially the construction shown; whereas, in many cases it might be essentially varied in form, and answer the same purpose.

Where an invention admits of it, it is customary to secure *in addition to a single broad claim* other narrower claims. The purpose of this is to protect the inventor, even if his broad claim should be overthrown in the Courts. It is, however, essential that the Attorney should be acquainted with the state of the art and the decisions of the Patent Office and the Courts to insure the securing of valid claims, and, as before stated, to secure claims as broad and valuable as are due the inventor is frequently a more difficult task than preparing the original specification and claims. In view of the great number of patents previously issued in any department and the seeming resemblance between devices which may be essentially different in principle, it is natural that strong and logical arguments are frequently necessary to convince an Examiner that he has erred in judgment.

Where a patent has been issued with narrower and more restricted claims than were really due the inventor at the time of his first application, a

remedy is provided in securing a *re-issue*, which subject will be referred to further on. It is most important however, that a good patent should be secured in the first place.

TO OBTAIN A PATENT.—Having thought out or discovered something which he thinks new and useful, an inventor should make a written memorandum or sketch of the idea, together with the date, and without any unnecessary delay proceed either to try it experimentally, or at once to explain it by letter or in person to a reputable Patent Attorney, whose experience may enable him to make useful suggestions. *I am glad to candidly advise in such cases without charge.* Unless the inventor is well acquainted with the state of the art to which his invention relates, and desires to avoid any delay, the best thing to do if the Attorney thinks the device likely to be patentable, is to have the records examined to find what has been done previously that would interfere with getting a patent. This is called a PRELIMINARY EXAMINATION and consists in a general search through previous U. S. Patents. It is *only preliminary* and does not pretend to be so complete as to base upon it in any case a positive assertion that the invention is new and patentable. If nothing is found however to interfere, novelty is reasonably certain, while on the other hand, if it is found to be old, all expense is avoided other than the five (5) dollars which is required to be paid before the search is made. I then prepare the application papers in accordance with what has been said before regard-

ing the specification and claims, and submit them to the inventor, who returns them, if satisfactory, properly signed and with the balance of the first Government and Attorney fees, which in simple cases amounts to thirty (30) dollars in addition to the five (5) dollars previously paid. When a patent is allowed with acceptable claims an additional fee of five (5) dollars is due me, which I do not claim, however, if a patent is refused. A final Government fee of twenty (20) dollars must be paid before the patent will be issued—six months time after allowance being given to pay it. The total cost of a simple invention is therefore sixty (60) dollars.

WHEN THE APPLICATION IS FILED it is given a number and assigned to its proper class, where it will be carefully examined in its proper turn. The time which elapses between filing and the first action by the office varies in the different classes from about one week to six months. I can generally give this time approximately in any particular case. If the Examiner finds the drawings, specification and claims in good form, and nothing to anticipate the invention, a notice of allowance is the first and only action. In the great majority of cases, however, objection is made to some or all of the claims on account of previous patents which are referred to. It is then the duty of the Attorney to carefully consider the objections and either modify the claims so as to avoid them or to convince the Examiner that he is in error. It is here that ability, tact and firmness are most

needed to secure what the applicant is justly entitled to. A ready yielding to the Examiner's objections by restricting the claims will generally secure a prompt allowance with little trouble; whereas, thoughtful and laborious arguments are often necessary to secure as broad claims as the invention warrants. *After a patent is issued* all the correspondence between the Attorney and the office is open to the public and can be offered as evidence in Court if the patent is ever contested. *While the application is pending* in the office no person can obtain any information concerning it, unless authorized by the applicant or his Attorney.

INTERFERENCES sometimes arise in the office between parties claiming substantially the same invention, in which cases statements must be made by them and evidence frequently taken, in order that the question of *priority of invention* may be determined. The interference may be between two or more pending applications or with a patent already issued. The cost of interference cases is not great when they are decided on the mere statements of the parties, but where evidence is taken it is apt to be considerable.

REJECTED CASES, or those in which a patent has been refused, frequently contain very valuable invention which has not been properly brought out in the application, or has been abandoned after rejection without persevering until the office is brought to admit the fact. Entirely new applications can be filed in such cases within two years of

the first public use or sale of the invention and valid patents secured. My charges are generally the same as for original applications.

APPEALS can be made from the repeated decision of the Primary Examiner when the applicant is not willing to accept it. As to matters of *form* INTERLOCUTORY APPEALS may be made to the Commissioner of Patents without charge. As to the *merits* appeals may be made first to the *Board of Examiners-in-Chief* on paying a Government fee of ten (10) dollars. My charge will usually be the same amount ten (10) dollars. If the decision is still unsatisfactory, it may be appealed to the *Commissioner* on payment of a Government fee of twenty (20) dollars. My charge will usually be twenty-five (25) dollars.

RE-ISSUES of patents are granted "when the original patent is inoperative or invalid by reason of a defective or insufficient specification." Until recently, re-issued patents were granted at any time before expiration of the term of the original, with claims as broad as should have been obtained in the original. The present practice of the Patent Office, however, in accordance with late decisions of the U. S. Courts is radically different. "Nothing but a clear mistake or inadvertance and a speedy application for its correction is admissable, when it is sought merely to enlarge the claim." In such a case it is safe to say that application for a re-issue should be made within two years of the grant of the original. Where the claims or

specifications are not clear or any mistake other than restricted claims, renders the original patent "inoperative or invalid," a valid re-issue may be secured at any time during the term of the original. In any case, however, the re-issue is only operative to the end of the original term. My total charge for a re-issue, including Government fee, is generally the same as for the original patent—that is sixty (60) dollars in simple cases, fifty-five (55) dollars of which is payable before the application is filed.

CAVEATS may be filed when an inventor desires time to experiment and perfect an invention. A drawing and description of the invention sufficiently full to clearly show the main features is required. No protection is afforded by a caveat, such as is given by a patent. The inventor is merely notified if any other inventor attempts to secure a patent on substantially the same invention within one year of filing his caveat, and is given three months time after such notice to file an application. My total charge for filing a caveat is twenty-five (25) dollars in simple cases, including Government fees. This money, however, would nearly always be better spent in making application at once. A caveat can be used as evidence of invention, but this object may be attained by merely making a sketch of the invention with a short description, dating and signing it before a witness. In any case, however, promptness in completing the invention and applying for a patent is very important.

DESIGN PATENTS may be secured for "any new and original design for a manufacture, bust, statue, alto-relievo or bas-relief, any new and original design for the printing of woolen, silk, cotton or other fabrics; any new and original impression, ornament, pattern, print or picture to be printed, painted, cast or otherwise placed on or worked into any article of manufacture; or any new useful and original shape or configuration of any article of manufacture."

The shape and ornamentation of any article of manufacture may both be covered by a design patent. The *appearance* of the article is what is protected, however, construction and operation having no connection with design patents. A machine may be the subject of both design and mechanical patents. The test of infringement of a design patent is "identity of appearance determined by the eye of the ordinary observer." An article which an "ordinary observer" might suppose to be the same as another, is an infringement if the latter is patented. Separate claims, both for shape and ornamentation cannot properly, as appears from recent decisions, be included in one patent, but a design patent is infringed where so much, either of shape or ornamentation or both, are used in a similar article, as to lead an "ordinary observer" to think it to be the same design. Design patents are issued for three-and-a-half, seven or fourteen years, the Government fees being ten (10), fifteen (15) and thirty (30) dollars respectively. My own charges for any term are ordinarily fifteen (15) dollars additional.

AN ASSIGNMENT of an invention or of an interest therein, may be made either before or after a patent is granted. It should refer to such a clear description of the invention as will fully identify it, and is therefore made to refer to the specification and drawings of an application for a patent, or to the patent itself, if already issued.

An assignee of any "undivided interest" has an equal right with the patentee to make, use or sell in any part of the United States. He is independent of, *not a partner with the patentee*, unless a separate partnership agreement is made. Inventors should clearly understand this before assigning, and if the aid of the assignee is part of the consideration for such assignment a separate agreement should be made.

A GRANT to make, use and sell within a specified part of the United States gives the grantee the exclusive right in that part, but no right whatever in any other.

Either an assignment or grant should be recorded in Patent Office, within three months from its date to insure its validity.

A LICENSE does not require to be recorded. It may merely permit the manufacture, or the use, or both, within a limited section or over the whole country. The terms and conditions may vary as desired.

My charge for preparing and recording ordinary assignments or grants is three (3) dollars. For preparing agreements, &c., according to the work involved.

REPORTS ON PATENTS.—Owners of patents and others frequently need to be informed of their true scope and value. This is always advisable—*first*, for a patentee before bringing suit for infringement; *second*, for a manufacturer before undertaking to make, or if already making before discontinuing to make any article which may possibly infringe a patent; *third*, for a person desiring to invest in a patent before making such an investment. Caution both in ascertaining the title to a patent, and still more in determining its real value, is of greater importance probably than in any other investment.

The apparent or "face" value of a patent may be determined by a careful consideration of the claims in connection with the specification and drawings. It must be remembered that the invention shown may be much more valuable than the patent, which latter may not properly protect it as already explained.

On the other hand, the "face" value of the patent is often deceptive. Broader claims than were warranted by the previous state of the art are sometimes secured, so that an apparently valuable patent may even be a clear infringement of a previous unexpired one, and serve to lead an inventor into liability and damages.

Before entering upon a course which may lead to expensive litigation and trouble, it will be true economy to determine the base upon which you would stand.

Where a thorough search of previous patents is required, such a report will cost considerably more

than where it is desired to learn the "face" value alone, but the charge will vary with each particular case.

MARKING ARTICLES "PATENTED."—No damage can be recovered for infringement of a patent, unless due notice is given of the patent, with date of issue. Where possible this should be done by marking the article itself.

"Patent applied for" may be marked upon an article for which an application has been filed.

DECEPTIVE MARKING is punishable by law, one-half of the penalty fixed going to the person who shall inform upon the offender and sue for the same.

TRADE MARKS may be registered in the Patent Office under certain requirements. A lawful trade mark may be any symbol, device, letter or word, to which the owner can justly claim an exclusive right on any particular goods. Before being registered it must have been used in trade with a foreign nation—as Canada. A formal application is required with description, and fac simile, date of first use and method of applying to goods. The Government fee is twenty five (25) dollars and my charge for preparing and prosecuting is fifteen (15) dollars additional. A search is made by the office, and registry objected to if a mark resembling it has been previously used on the same goods, or if the mark itself is not considered a lawful trade mark. A registered trade mark, is therefore, almost sure of being sustained against infringers if brought before the Courts. An assignment may be

made and recorded in the Patent Office. Trade marks may also be registered in foreign countries.

LABELS may also be registered in the Patent Office. They include any words or devices, other than a trade mark, appearing upon any manufactured article, and may describe the article and the name and location of manufacturer, directions for use, &c. They should be registered before being brought into use.

The Government fee is six (6) dollars. My fee is six (6) dollars additional.

COPYRIGHTS.—A citizen or resident of the United States may copyright a book, map, chart, dramatic or musical composition, engraving, cut, print, or photograph, or a painting, drawing, chromo, statue or statuary, or model or design for a work of the fine arts, thus securing the sole right to publish or dispose of the same for twenty-eight years.

A printed copy of the title or a description of the book or article to be copyrighted, must be forwarded to the Librarian of Congress before publication—that is, before being given to the public. Within ten days of publication *two copies* or photographs of the book or other article must be forwarded. The word "copyright," together with the year must appear on each copy published. My charge including Government fee for entry and a certificate, is five (5) dollars.

COPIES OF PATENTS can be secured from the Patent Office for twenty-five (25) cents a single

copy. When a number are wanted I am prepared to furnish them at a reduction from this rate.

FEES.—A fee of five (5) dollars is expected to be paid before a case is prepared—the balance of the first Attorney fee and the first Government fee, as noted on page 24, being payable after the case is prepared and approved and before filing.

My fees are made as low as possible, consistent with good work. I do not, however, pretend to compete with those "cheap" Attorneys whose only endeavor is to *obtain a patent* regardless of what *kind* it may be. And especially not with those who require no pay for their work, unless they succeed in getting a patent. The kind of patent they succeed in getting is likely to be *worse for the inventor than total failure.* Those who have had experience or who have carefully read what precedes in these pages will understand the necessity for great care and skill in obtaining the best patent possible and will not be attracted by such inducements.

As already explained, the preparation of an application is by no means certain to be the end of an Attorney's work in a case. The prosecution is apt to be as troublesome as the first preparation of the application. I do not, therefore, require the full Attorney fees to be paid before filing, but leave a balance of five (5) dollars, which is due on allowance of a satisfactory patent. This balance serves as a guarantee of careful work, yet does not place the Attorney in the position of wagering the work he has expended upon the preparation of the case. It is fair both to the Attorney and the applicant.

It is better to pay the most extravagant fees that the highest reputation makes it possible to demand, rather than place your invention in the hands of those who care little what kind of patent they secure—with the likelihood of losing all benefit from it.

It will be well, however, to remember that those who are *widely advertised* are *not* necessarily of high reputation. It is very likely to be otherwise.

There is no necessity, either for paying extravagant fees. There are reliable and competent Attorneys who will do equally good work for reasonable charges. Inventors should exercise good judgment in their selection, and aside from the advantages already referred to of engaging an Attorney who is near at hand for consultation if desirable, is the further advantage of easily insuring yourself of his integrity and ability. The few letters of recommendation from well known men of high standing, which are included in these pages will be sufficiently satisfactory to most people within convenient distance of Reading, where I am located, but I will be pleased to furnish additional evidence to those who may inquire.

TABLE OF FEES.

For Simple Inventions, including Government Fees.

	Gov. Fees.	Att'y Fees.
Preliminary Examination.—To be paid in advance, but deducted from fees if application is made		$ 5.00
Application for Patent.—First fees for simple inventions, payable before filing	$15.00	20.00
Final fees, payable after allowance	20.00	5.00
Total		$60.00
Application for Design.—3½ year term, first fees	$10.00	$10.00
7 year term, first fees	15.00	10.00
14 year term, first fees	30.00	10.00
Additional attorney fee due in each case after allowance		5.00
Caveats.—Fees in simple cases, total payable before filing	10.00	15.00
Total		$25.00
Re-Issues.—Fees in simple cases, total payable before filing	$30.00	$25.00
Additional attorney fee, due after allowance		5.00
Total		$60.00
Trade-Marks.—Registering—First fees, payable before filing	$25.00	$10.00
Additional attorney fee after registry		5.00
Total		$40.00
Label.—Registering—Total fees, payable before filing	$6.00	$6.00
Total		$12.00
Copyright.—Including certificate, total fees		$5.00

FOREIGN PATENTS. There are many inventions which it is advisable that inventors should secure in foreign countries, as well as in the United States. If an equal amount of business energy and ability is applied to introduce an invention or dispose of the rights in the principal foreign countries, as is applied at home in the same direction, patents in those countries should generally be equally profitable. Neglect of such patents, however, when they are obtained, sometimes results in the loss of valuable rights, as most countries require that certain taxes should be paid and that the invention shall be "worked" within a certain time, or the patent be forfeited.

Applications for foreign patents should generally be prepared after the United States application, but before the issue of the United States Patent. In foreign countries the date of filing the application is the date of the patent, and if this date is earlier than that of the United States Patent—the term of the latter is, by law, limited to the term of the shotrest foreign patent, which term is generally less than seventeen years. On the other hand, if foreign applications are delayed long after the issue of United States Patents, the publication of the latter in those foreign countries is apt to prevent the issue of valid patents there.

The charges noted below for securing patents in foreign countries, include in all cases both Government and Attorney fees. The charges are very low considering the necessity for a thorough acquaintance and careful conformance with the varying practice of the different foreign countries and the

necessity for employing thoroughly reliable foreign agents to carefully translate, file and care for the applications. They are based upon simple inventions. When an invention is more extensive or complicated than ordinary, they will be increased to cover additional cost of translating and of preparing drawings, which latter are always required in duplicate or triplicate.

The first tax only is given including agents fees.

Further information as to the relative importance of countries, payment of taxes, &c., I will be glad to furnish on application.

CANADA.—Term, 15 years; cost, $40. Must be worked within 2 years. End of fifth year, $22.

GREAT BRITAIN.—Term of 14 years; cost, $75. Working not required. End of fourth year, $55.

FRANCE.—Term, 15 years; cost, $75. Must be worked within 2 years. End of first year, $25.

BELGIUM.—Term, 20 years; cost, $50. Must be worked within 1 year. End of first year, $7.50.

GERMANY.—Term, 15 years; cost, $75. Must be worked within 3 years. End of first year, $17.50. A rigid examination is made. Charge for appeal in case of refusal, $25.

AUSTRIA-HUNGARY.—Term, 15 years; cost, $80. Must be worked within a year. End of first year, $22.50.

ITALY.—Term, 15 years; cost, $80. Must be worked within 1 year. End of first year, $15.

SPAIN, CUBA, &c.—Term, 20 years; cost, $80. Must be worked within 2 years. End of first year, $10.

TESTIMONIALS AND REFERENCES.

Letter from John E. Wootten, formerly General Manager of the Philadelphia & Reading R. R., Inventor of the "Wootten Locomotive," &c.

READING, PA., February 23, 1889.

W. G. STEWART, Esq., Reading, Pa.

DEAR SIR:—It is due to you that I express the satisfaction and pleasure afforded me by the thorough and masterly manner in which all business entrusted to your care has been executed. The mechanical training and experience which you acquired during your connection with the Drafting Department of the Reading Railroad Company, has doubtless been of much service to you in the prosecution of the business in which you are now engaged. I have especially noted the concise and lucid manner in which your drawings and descriptive papers are prepared and followed up by clearly defined and comprehensive claims, which have availed you much in leading to the prompt grant of the many applications to the Commissioner of Patents, presented by you in behalf of your clients; and, I therefore, feel assured that in view of your exceptional qualifications and knowledge of patent law, your success must be as complete as it is well deserved. Very truly yours,

J. E. WOOTTEN.

Letter from P. M. Sharples, Manufacturer of Dairy Machinery, &c., West Chester, Pa. and Elgin, Ill.

WEST CHESTER, February 2, 1889.

WALTER G. STEWART, Reading, Pa.

DEAR SIR:—It gives me great pleasure to state that all the business entrusted to your care, has been thoroughly and satisfactorily done. My early experience with several Patent Lawyers leads me to think that men who will attend to such business in a way calculated to the best interests of their clients are few, for I find that simply to secure a patent without any regard to its value to the applicant, is the prime idea with many in your business, their object being to secure the fees, regardless of the interests of their client. The intelligent help and interest which you have always given me, I consider invaluable, and the thorough and exhaustive report, which you gave me with your legal opinion on a certain patent was very satisfactory, and it may be of interest to you to know that the opinions were afterwards confirmed in every particular by *Mr. Harding, of Philadelphia*, who complimented you on the thoroughness of the report and opinions, and as you know, Mr. Harding stands second to no one in his reputation as a Patent Attorney. Yours truly,

P. M. SHARPLES.

READING STOVE WORKS,
Orr, Painter & Co.,
READING, PA., March 22, 1889.

MR. WALTER G. STEWART.

DEAR SIR:—We are pleased to state, that whatever business we have entrusted to you, has been attended to in a very satisfactory manner, We have the utmost confidence in your skill and ability in your profession, and feel so well satisfied with your work in the past, that we will have no hesitancy in giving you whatever patronage we can in the future. With kindest regard for your success, We are very truly yours,

READING STOVE WORKS,
ORR, PAINTER & CO.

JESSE ORR, President.

Extract from decision in appeal, allowing a rejected application.

U. S. PATENT OFFICE, February 11, 1889.

Before the Examiners-in-Chief on Appeal.

MR. W. G. STEWART, for Appellant.

The advantage of Appellant's improvement are stated in his argument filed, as follows: * * *

These points of increased utility are sufficient in our judgment to carry patentability over the prior state of the art shown by the references, and we therefore reverse the Examiner's decision.

H. H. BATES,
R. L. B. CLARKE,
ROBERT J. FISHER, JR.,
Examiners-in-Chief.

READING BOLT AND NUT WORKS,
J. H. Sternbergh & Son, Prop'rs.
READING, PA., February 22, 1889.

WALTER G. STEWART,
Patent Solicitor, Reading, Pa.

DEAR SIR:—In answer to your inquiry, it gives me pleasure to state that I have been very much pleased with the pains-taking and intelligent handling of the patent business which I have placed in your hands. In the preparation of the specifications and drawings for the several applications made for me, you appear to have made a careful scrutiny of all the surroundings of each case, and have evidently borne in mind your client's interest. In short, I may say, that all of your work has been entirely satisfactory.

Yours truly,
J. H. STERNBERGH.

A FEW ADDITIONAL REFERENCES.

Mt. Penn Stove Works.....Reading.
Savage, Robert H..... "
Deem, Miller M..... "
Tyson, George E..... "
Zerr, William B.....Spring Township, Berks Co.
Wissler, Aaron.....Brunnerville, Lancaster Co.
Peters, John .....Pottstown.
Neubling, George E.....Reading.
Kline, William D .....Molltown, Berks Co.
Ganster, Geo. P.....Reading.
Johnson, Dr. Harry L..... "
Haws, W. H.....Birdsboro.
Winger, Dr. Franklin.....Rothsville, Lancaster Co.
Frischeis, Fabian S.....Lititz.
Bachman, Jacob..... Stony Run, Berks Co.
Kinports, Martin.....Ephrata, Lancaster Co.
Spangler, Harry D..... " "
Coleman, W. S. S.....Reading.
Binckley, Henry ..... "
Heller, Daniel C..... "
Fries, Jacob..... "
Chantrell, Felix..... "
Eisenbice, Harry W..... "
Guss, Samuel M.....Pottstown.
Hoke, Cyrus U.....Reading.
Dechant, William H..... "
Adams, Daniel R..... "
Xander, John G..... "
Xander, George A.....Hamburg.
Baily, Mifflin W.....Pottstown.
Newlin, Franklin..... ... "
Schlechter, G. A.....Reading.
Kipe, Charles L.....Dilworthtown.
Hayes, George..... .....Shamokin, Schuylkill Co.
Lash, Isaac R.....Heidelburg Township, Berks Co.
Ammon, Dr. Jacob S.....Reading.
Sternbergh, J. H. & Son..... "
Heller, Charles F.. ..... "
Keiser, Florenz.....Pottstown.
Wolfe, Edward W.....Reading.
Schoenfeld, Dr. John..... "
Fiester, John C..... "
Landis, Levi L.....New Berlinville.
Wilhelm, W. H. & Co.....Reading.
Fox, Mahlon R..... "
River Foundry Co..... "
Thalheimer, Albert..... "
Rote, John F..... "

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